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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,)
12 Plaintiff,) CR No. S-96-350 WBS
13 v.)
14 JOHN THAT LUONG, et al.,)
15 Defendants.)
16 _____)

17 The United States of America, through its counsels of record,
18 McGregor W. Scott, United States Attorney for the Eastern District
19 of California, and William S. Wong, Assistant United States
20 Attorney; and defendant Mady Chan, Pro Se and with his standby
21 counsel, Timothy Warriner, Esq.; defendant Huy Chi Luong, through
22 his counsel John Balazs, Esq.; and defendant John That Luong,
23 through his counsel, Richard Mazer, Esq., stipulate and agree to the
24 following revised motion schedule:

- 25 1. Government's response to defendants' motions to be filed
26 on December 30, 2005;
- 27 2. Defendants' reply, if any, to be filed by January 11,
28 2006; and
3. Hearing on the motions January 25, 2006, at 10:00 a.m.

1 The government needs additional time to research and prepare
2 its responses to the defendants' motions. During the last few
3 weeks, counsel for the government has had a pinched nerve in his
4 neck resulting in pain radiating to his left shoulder requiring time
5 on sick leave. Furthermore, counsel for the government is currently
6 preparing for a three-four week jury trial in the matter of United
7 States v. Slater, et al., CR-S-03-0371 MCE. Accordingly, the
8 parties stipulate that time be excluded for the pendency of these
9 motions pursuant to 18 U.S.C. §3161(h)(1)(F) - delay resulting from
10 any pretrial motion and 18 U.S.C. §3161(h)(8)(B)(ii) - additional
11 time needed to adequately prepare for pretrial proceedings.

Respectfully submitted,

McGREGOR W. SCOTT
United States Attorney

DATED: November 16, 2005 By: /s/ William S. Wong
WILLIAM S. WONG
Assistant U.S. Attorney
Attorneys for Plaintiff

DATED: November 16, 2005 By: /s/ Richard Mazer
Richard Mazer, Esq., Attorney
for Defendant John That Luong

DATED: November 15, 2005 By: /s/ John Balazs
John Balazs, Esq., Attorney
For Defendant Huy Chi Luong

DATED: November 15, 2005 By: /s/ Timothy Warriner

Timothy Warriner, Esq., Standby
Advisory Attorney for Defendant
Mady Chan

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ORDER

IT IS SO ORDERED.

DATED: November 18, 2005

William B. Knobbe

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Eastern District of California and is a person of such age and discretion to be competent to serve papers.

That on November , 2005, she served a copy of the attached
COURT **STIPULATION AND ORDER** by placing said copy in United States
mail to the persons hereinafter named, at the place and address
stated below, which is the last known address, and by depositing
said envelope and contents in the outgoing United States mail box at
801 I Street, 10th Floor, Sacramento, California.

Addressee:

Mady Chan, X-2405573
Sacramento County Jail
651 I Street
Sacramento, CA 95814

LORI WHITMER